

C. DAE, 1/3/07
NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

DEC 07 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

EMERSON M.F. JOU, M.D., Individually,
and on behalf of the class or others
similarly situated,

Plaintiff - Appellant,

v.

GARY W.B. CHANG, In his capacity as a
Judge of the First Circuit Court, State of
Hawaii; DOES 1-100,

Defendants - Appellees.

No. 05-15207

D.C. No. CV-04-00718-
DAE/BMK

**FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII**

JAN 03 2007 AJ
at 10 o'clock and 45 min. M
SUB BEITIA, CLERK

Appeal from the United States District Court
for the District of Hawaii
David A. Ezra, District Judge, Presiding

Submitted November 15, 2006 **
Honolulu, Hawaii

Before: Trott, Wardlaw, and W. Fletcher, Circuit Judges.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

For the reasons stated in the thorough and well-reasoned order of the district court, the district court's Order Denying Plaintiff's Ex Parte Motion For Temporary Restraining Order, Order Denying Plaintiff's Ex Parte Motion For Preliminary Injunction, and Order Dismissing Plaintiff's Complaint Without Prejudice are **AFFIRMED**.

